

REMARKS

Claims 1 to 25 were pending in the application at the time of examination. Claims 3 to 5 and 17 to 19 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 1x to 25 stand rejected as anticipated.

A Revocation and Substitution of Attorney was filed in the above application on January 4, 2006. The Examiner is respectfully requested to notify Applicant's attorney if the revocation is not in the file so that a copy can be filed along with the return receipt postcard. Please address all future correspondence to the undersigned attorney.

Applicants have amended the description to correct grammatical errors.

Claims 2 to 5 have been incorporated in Claim 1 and Claims 2 to 5 cancelled.

Claims 8 to 12 have been incorporated in Claim 6 and Claims 8 to 12 cancelled.

Claim 7 has been amended to address an informality.

Claims 13 and 14 are cancelled.

Claims 16 to 19 have been incorporated in Claim 15 and Claims 16 to 19 cancelled.

Claim 21 has been incorporated in Clam 20 and Claim 21 canceled. In addition, Claim 20 has been amended to obtain consistency with the scope of Claim 6.

Claims 22 and 24 have been cancelled.

Claim 23 has been amended to correct the informality created by the cancellation of the claim upon which it depended.

Claim 25 has been amended to obtain consistency with the scope of Claim 1.

Applicants respectfully note that 35 U.S.C. § 112, second paragraph rejections of Clams 3 to 5 and 17 to 19 have been rendered moot by the cancellation of these claims.

Claims 1 to 25 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2002/0042893, hereinafter referred to as Larson.

Applicants respectfully traverse the anticipation rejection of each of Claims 1, 6, 15, 20, and 25. Applicants respectfully submit that Larson describes "mirroring the data from one memory unit to another memory unit (See Paragraph 28 of Larson). However, the preferred implementation of Larson involves more complex RAID technology rather than simple mirroring. The main focus of Larson is to allow a failed memory unit to be removed and replaced as easily as possible, without interrupting the operation of the overall memory system (See Paragraph 32 of Larson regarding hot-pluggability). Larson recognizes that there are soft errors (e.g. due to cosmic rays), and hard errors (e.g. due to hardware failure). Most, but not all, soft error can be corrected by ECC technology (See Paragraph 13 of Larson).

In Larson, if an error is detected, the system switches from a redundant state into a redundant-fault state. An attempt is made to clear the error, based on the ECC and/or the XOR structure of the RAID structure. If the attempt is successful, the system returns to the redundant state, and otherwise the system remains the redundant fault state (See Paragraph 45 of Larson). The redundant-fault state can be considered as intermediate between the redundant state and the non-redundant state.

The system of Larson does not react to the presence of an uncorrectable error by switching from a primary device to a backup device, but rather seems to continue previous operations, albeit in a state of increased alert (the redundant fault state). Furthermore, once Larson transitions to the non-redundant fault state, there is an expectation that the relevant memory unit is automatically replaced. (See Paragraphs 47 and 48 of Larson.) There is no attempt to test

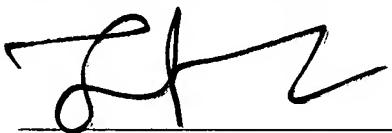
any backup device to determine its operational status, and to carry on utilizing those portions of the backup device that are still properly functional. As a consequence Larson has to operate in the non-redundant state, even where the memory unit that experienced a failure might be sufficiently functional to allow continued redundant operations.

Thus, the invention of each of Claims 1, 6, 15, 20, and 25 is significantly different from Larson, particularly in the response to errors. Accordingly, the invention of each of the invention of each of Claims 1, 6, 15, 20, and 25 distinguishes over Larson. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 1, 6, 15, 20, and 25 and the claims dependent from these claims.

Claims 1, 6, 7, 15, 20, 23, and 25 remain in the application. Claims 1, 6, 7, 15, 20, 23, and 25 have been amended. Claims 2 to 5, 8 to 14, 16 to 19, 21, 22, and 24 were canceled. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 3, 2006.



Attorney for Applicant(s)

February 3, 2006  
Date of Signature

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